

**UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF ILLINOIS**

TAMARA HENLEY,	)	
	)	
Plaintiff,	)	No. 1:24-cv-03206
	)	
vs.	)	Hon. Joan B. Gottschall
	)	Hon. Magistrate Holleb Hotaling
COMMONWEALTH EDISON COMPANY,	)	
	)	
Defendant	)	
	)	

**JOINT MOTION FOR TEMPORARY STAY OF ALL DEADLINES**

Plaintiff Tamara Henley (“Plaintiff” or “Henley”) and Defendant Commonwealth Edison Company (“Defendant” or “ComEd”), by and through their respective counsel, hereby jointly move the Court for a temporary stay of all deadlines relating to this case. In support of this Motion, Plaintiff and ComEd state as follows:

1. On April 22, 2024, Plaintiff filed a Complaint asserting five claims against ComEd: (1) discrimination on the basis of race under 42 U.S.C. 2000e et seq. (“Title VII”); (2) discrimination on the basis of color under Title VII, (3) discrimination on the basis of race under 42 U.S.C. § 1981, (4) retaliation, and (5) discrimination on the basis of sex under Title VII. (Dkt. 1).
2. On June 21, 2024, ComEd timely filed a motion to dismiss. (Dkt. 9). Plaintiff chose to file an Amended Complaint instead of responding to the motion to dismiss. (Dkt. 11; Dkt. 13).
3. On July 25, 2024, Plaintiff learned from ComEd that her employment was being terminated, effective on September 27, 2024 pursuant to a workforce reduction program (“RIF”).

4. In connection with the RIF, Plaintiff has been offered severance in exchange for execution of a separation and release of claims (the “Separation Agreement”). Plaintiff will have 45 days after her separation date to consider whether to execute the Separation Agreement. Defendant has also offered her until September 27, 2024 to continue to work, should she remain an employee in good standing, and to search for any open positions in Exelon.

5. If Plaintiff elects to execute the Separation Agreement, this case would be subject to dismissal.

6. If Plaintiff does not elect to execute the Separation Agreement, Plaintiff anticipates that she may file a new charge with the Equal Employment Opportunity Commission (“EEOC”) relating to her termination, seek a new Right to Sue letter, and file a Second Amended Complaint.

7. In light of the foregoing, the Parties jointly request that this Court enter an order staying all deadlines until the earlier of (a) the date Plaintiff files a Second Amended Complaint or (b) December 1, 2024. The Parties anticipate that this will permit them engage in any necessary discussions and negotiations as may be appropriate in connection with Plaintiff’s termination and ComEd’s offer of severance, and for Plaintiff to commence any necessary or appropriate administrative proceedings with the EEOC.

8. Entering the requested stay will conserve judicial resources and litigants’ and counsel’s time and resources. In the absence of such a stay, the Parties would proceed to litigate claims that may either be subject to dismissal pursuant to the Separation Agreement or which may otherwise be amended in a Second Amended Complaint.

9. The Parties further respectfully request that, in the event that Plaintiff files a Second Amended Complaint, Defendant be given thirty (30) days from the date of filing to answer or otherwise respond.

10. This is the first request for any adjustment of deadlines in this proceeding. Granting the requested stay will not cause prejudice to any party or result in undue delay.

Plaintiff and ComEd respectfully request that the Court grant this Motion and order a stay of all pending deadlines in this case, until the earlier of (a) December 1, 2024 or (b) such time as Plaintiff files a Second Amended Complaint.

Dated: July 31, 2024

TAMARA HENLEY

/s/ Paul O. Otubusin (with permission)  
One of Her Attorneys

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COMMONWEALTH EDISION COMPANY

/s/ Corwin J. Carr  
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**CERTIFICATE OF SERVICE**

I, Corwin J. Carr, an attorney, certify that on July 31, 2024 I caused the foregoing to be filed electronically via the Court's CM/ECF filing system. The Court's CM/ECF electronic filing system will provide notice of this filing to all counsel of record.

/s/ Corwin J. Carr  
Corwin J. Carr